Andrew Golodny 202 429 1357 agolodny@steptoe.com



1330 Connecticut Avenue, NW Washington, DC 20036-1795 202 429 3000 main www.steptoe.com

February 22, 2019

**BYECFS** 

Marlene H. Dortch, Secretary Federal Communications Commission 445 Twelfth Street, SW Washington, D.C. 20554

Re: Supplemental Acknowledgements of Confidentiality, Applications of T-Mobile US, Inc. and Sprint Corporation, WT Docket No. 18-197

Dear Ms. Dortch:

On behalf of DISH Network Corporation, enclosed are executed copies of the Supplemental Acknowledgements of Confidentiality required by the Supplemental Protective Order (DA 19-80) for access to Supplemental Highly Confidential information filed in the above-referenced docket. The executors of the enclosed Acknowledgements are outside consultants for DISH.

A copy of these acknowledgements will be served on counsel of record for the Submitting Parties.

Sincerely,

Andrew Golodny

Counsel to DISH Network Corporation

Owoher Goldy

**Enclosures** 

#### APPENDIX A

# Supplemental Acknowledgment of Confidentiality WT Docket No. 18-197

I hereby acknowledge that I have received and read a copy of the foregoing Supplemental Protective Order in the above-captioned proceeding, and I understand it.

I certify that I am a Reviewing Party entitled to review Highly Confidential Information under the Protective Order, that I have signed the Acknowledgment attached to the Protective Order, that any challenge to such Acknowledgment has been resolved in my favor, and that the Acknowledgment remains in full force and effect. I agree that I am bound by the Protective Order and that the restrictions contained in the Protective Order with regard to Highly Confidential Information apply to Supplemental Highly Confidential Information.

I agree that I am bound by the Supplemental Protective Order and that I shall not disclose or use Stamped Supplemental Highly Confidential Documents or Supplemental Highly Confidential Information except as allowed by the Supplemental Protective Order.

I agree not to argue in this proceeding, or in any other federal or state proceeding, that disclosure of Supplemental Highly Confidential Information pursuant to the Supplemental Protective Order constitutes a waiver of attorney-client privilege or work product protection as to any undisclosed communications or information.

I acknowledge that a violation of the Supplemental Protective Order is a violation of an order of the Federal Communications Commission (Commission). I further acknowledge that the Commission retains its full authority to fashion appropriate sanctions for violations of the Supplemental Protective Order, including but not limited to suspension or disbarment of Counsel or Consultants from practice before the Commission, forfeitures, cease and desist orders, and denial of further access to Confidential, Highly Confidential Information or Supplemental Highly Confidential Information in this or any other Commission proceeding.

I acknowledge that nothing in the Supplemental Protective Order limits any other rights and remedies available to a Submitting Party at law or in equity against me if I use Supplemental Highly Confidential Information in a manner not authorized by this Supplemental Protective Order.

Without limiting the foregoing, to the extent that I have any employment, affiliation, or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or advocacy organization), I acknowledge specifically that my access to any information obtained as a result of the Supplemental Protective Order is due solely to my capacity as Outside Counsel or Outside Consultant to a party or as an employee of Outside Counsel, Outside Consultant, or Outside Firm, and I agree that I will not use such information in any other capacity.

I acknowledge that it is my obligation to ensure that Stamped Supplemental Highly Confidential Documents are not duplicated except as specifically permitted by the terms of the Supplemental Protective Order and to ensure that there is no disclosure of Supplemental Highly Confidential Information in my possession, in the possession of those who work for me, or in the possession of other Support Personnel, except as provided in the Supplemental Protective Order.

<sup>&</sup>lt;sup>1</sup> Applications of T-Mobile US, Inc. and Sprint Corporation for Consent To Transfer Control of Licenses and Authorizations, WT Docket No. 18-197, Protective Order, DA 18-624 (WTB June 15, 2018) (Protective Order).

I certify that I have verified that there are in place procedures at my firm or office to prevent unauthorized disclosure of Supplemental Highly Confidential Information.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Protective Order or the Supplemental Protective Order.

Executed this 21 day of Fabruary, 2019.

[Name] [Position] [Firm]

[Firm] [Telephone] [Party]

Dich Networks COMP

## APPENDIX A

# Supplemental Acknowledgment of Confidentiality WT Docket No. 18-197

I hereby acknowledge that I have received and read a copy of the foregoing Supplemental Protective Order in the above-captioned proceeding, and I understand it.

I certify that I am a Reviewing Party entitled to review Highly Confidential Information under the Protective Order, <sup>1</sup> that I have signed the Acknowledgment attached to the Protective Order, that any challenge to such Acknowledgment has been resolved in my favor, and that the Acknowledgment remains in full force and effect. I agree that I am bound by the Protective Order and that the restrictions contained in the Protective Order with regard to Highly Confidential Information apply to Supplemental Highly Confidential Information.

I agree that I am bound by the Supplemental Protective Order and that I shall not disclose or use Stamped Supplemental Highly Confidential Documents or Supplemental Highly Confidential Information except as allowed by the Supplemental Protective Order.

I agree not to argue in this proceeding, or in any other federal or state proceeding, that disclosure of Supplemental Highly Confidential Information pursuant to the Supplemental Protective Order constitutes a waiver of attorney-client privilege or work product protection as to any undisclosed communications or information.

I acknowledge that a violation of the Supplemental Protective Order is a violation of an order of the Federal Communications Commission (Commission). I further acknowledge that the Commission retains its full authority to fashion appropriate sanctions for violations of the Supplemental Protective Order, including but not limited to suspension or disbarment of Counsel or Consultants from practice before the Commission, forfeitures, cease and desist orders, and denial of further access to Confidential, Highly Confidential Information or Supplemental Highly Confidential Information in this or any other Commission proceeding.

I acknowledge that nothing in the Supplemental Protective Order limits any other rights and remedies available to a Submitting Party at law or in equity against me if I use Supplemental Highly Confidential Information in a manner not authorized by this Supplemental Protective Order.

Without limiting the foregoing, to the extent that I have any employment, affiliation, or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or advocacy organization), I acknowledge specifically that my access to any information obtained as a result of the Supplemental Protective Order is due solely to my capacity as Outside Counsel or Outside Consultant to a party or as an employee of Outside Counsel, Outside Consultant, or Outside Firm, and I agree that I will not use such information in any other capacity.

I acknowledge that it is my obligation to ensure that Stamped Supplemental Highly Confidential Documents are not duplicated except as specifically permitted by the terms of the Supplemental Protective Order and to ensure that there is no disclosure of Supplemental Highly Confidential Information in my possession, in the possession of those who work for me, or in the possession of other Support Personnel, except as provided in the Supplemental Protective Order.

<sup>&</sup>lt;sup>1</sup> Applications of T-Mobile US, Inc. and Sprint Corporation for Consent To Transfer Control of Licenses and Authorizations, WT Docket No. 18-197, Protective Order, DA 18-624 (WTB June 15, 2018) (Protective Order).

I certify that I have verified that there are in place procedures at my firm or office to prevent unauthorized disclosure of Supplemental Highly Confidential Information.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Protective Order or the Supplemental Protective Order.

Executed this 21 day of February, 2019.

[Name] David Christople[Position] Consultant
The Brattle Group
[Phone] 415-217

DISH Network Corporation

## APPENDIX A

# Supplemental Acknowledgment of Confidentiality WT Docket No. 18-197

I hereby acknowledge that I have received and read a copy of the foregoing Supplemental Protective Order in the above-captioned proceeding, and I understand it.

I certify that I am a Reviewing Party entitled to review Highly Confidential Information under the Protective Order, <sup>1</sup> that I have signed the Acknowledgment attached to the Protective Order, that any challenge to such Acknowledgment has been resolved in my favor, and that the Acknowledgment remains in full force and effect. I agree that I am bound by the Protective Order and that the restrictions contained in the Protective Order with regard to Highly Confidential Information apply to Supplemental Highly Confidential Information.

I agree that I am bound by the Supplemental Protective Order and that I shall not disclose or use Stamped Supplemental Highly Confidential Documents or Supplemental Highly Confidential Information except as allowed by the Supplemental Protective Order.

I agree not to argue in this proceeding, or in any other federal or state proceeding, that disclosure of Supplemental Highly Confidential Information pursuant to the Supplemental Protective Order constitutes a waiver of attorney-client privilege or work product protection as to any undisclosed communications or information.

I acknowledge that a violation of the Supplemental Protective Order is a violation of an order of the Federal Communications Commission (Commission). I further acknowledge that the Commission retains its full authority to fashion appropriate sanctions for violations of the Supplemental Protective Order, including but not limited to suspension or disbarment of Counsel or Consultants from practice before the Commission, forfeitures, cease and desist orders, and denial of further access to Confidential, Highly Confidential Information or Supplemental Highly Confidential Information in this or any other Commission proceeding.

I acknowledge that nothing in the Supplemental Protective Order limits any other rights and remedies available to a Submitting Party at law or in equity against me if I use Supplemental Highly Confidential Information in a manner not authorized by this Supplemental Protective Order.

Without limiting the foregoing, to the extent that I have any employment, affiliation, or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or advocacy organization), I acknowledge specifically that my access to any information obtained as a result of the Supplemental Protective Order is due solely to my capacity as Outside Counsel or Outside Consultant to a party or as an employee of Outside Counsel, Outside Consultant, or Outside Firm, and I agree that I will not use such information in any other capacity.

I acknowledge that it is my obligation to ensure that Stamped Supplemental Highly Confidential Documents are not duplicated except as specifically permitted by the terms of the Supplemental Protective Order and to ensure that there is no disclosure of Supplemental Highly Confidential Information in my possession, in the possession of those who work for me, or in the possession of other Support Personnel, except as provided in the Supplemental Protective Order.

<sup>&</sup>lt;sup>1</sup> Applications of T-Mobile US, Inc. and Sprint Corporation for Consent To Transfer Control of Licenses and Authorizations, WT Docket No. 18-197, Protective Order, DA 18-624 (WTB June 15, 2018) (Protective Order).

I certify that I have verified that there are in place procedures at my firm or office to prevent unauthorized disclosure of Supplemental Highly Confidential Information.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Protective Order or the Supplemental Protective Order.

Executed this 20 day of FEBRUARY, 2019.

[Name] HELENA ZHO

[Position] RESEARCH ANALYST

The Brattle Group

[Phone] 415 - 217 - 1028

**DISH Network Corporation** 

## **CERTIFICATE OF SERVICE**

I, Andrew Golodny, hereby certify that on February 22, 2019, I caused true and correct copies of the foregoing to be served by electronic mail upon the following:

Nancy J. Victory DLA Piper LLP 500 Eighth Street, NW Washington, DC 20004 nancy.victory@dlapiper.com Counsel for T-Mobile US, Inc

Kathy Harris Mobility Division Wireless Telecommunications Bureau Federal Communications Commission 445 Twelfth Street, SW Washington, DC 20554 kathy.harris@fcc.gov

Kate Matraves
Competition and Infrastructure Policy
Division
Wireless Telecommunications Bureau
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554
catherine.matraves@fcc.gov

David Krech
Telecommunications and Analysis Division
International Bureau
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554
david.krech@fcc.gov

Regina M. Keeney Lawler, Metzger, Keeney & Logan, LLC 1717 K Street, NW, Suite 1075 Washington, DC 20006 gkeeney@lawlermetzger.com Counsel for Sprint Corporation

Linda Ray Broadband Division Wireless Telecommunications Bureau Federal Communications Commission 445 Twelfth Street, SW Washington, DC 20554 linda.ray@fcc.gov

Jim Bird Office of General Counsel Federal Communications Commission 445 Twelfth Street, SW Washington, DC 20554 TransactionTeam@fcc.gov

/s/ Andrew Golodny
Steptoe & Johnson LLP